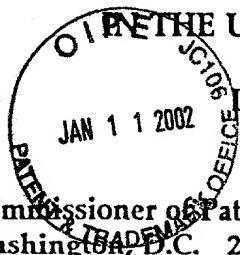


#5



THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECLARATION AND POWER OF ATTORNEY

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

As a below named inventor, I hereby declare that:  
I believe I am the

☐ original, first and sole inventor; or

☒ an original, first and joint inventor along with the other inventors listed below, of the subject matter which is claimed and for which a patent is sought on the invention entitled A Synthetic DNA Encoding An Orange Seapen-Derived Green Fluorescent Protein With Codon Preference of Mammalian Expression Systems and Biosensors

the specification of which

☐ is attached hereto;

☒ was filed on October 15, 2001 as Application Serial No. \_\_\_\_\_ and was amended through \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended as indicated above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim the benefit under 35 U.S.C. Section 119(e) of copending U.S. Provisional Patent Application Serial No. 60/297,645 filed on June 12, 2001.

Foreign Priority

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate for the same invention having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

				Priority Claimed	
				<input type="checkbox"/>	<input type="checkbox"/>
Country	Number	Date Filed	Attorney Docket	Yes	No
				<input type="checkbox"/>	<input type="checkbox"/>
Country	Number	Date Filed	Attorney Docket	Yes	No

## Prior United States Filing

or §119(e)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date(s) of the prior application(s) and the national or PCT international filing date of this application:

60/297,645	June 12, 2001	010812	Pending
Prov. Appl. Ser. No.	Filing Date	Attorney Docket	Status
Appl. Ser. No.	Filing Date	Attorney Docket	Status
Appl. Ser. No.	Filing Date	Attorney Docket	Status

And I hereby appoint Craig G. Cochenour, Reg. No. 33,666, George P. Baier, Reg. No. 26,717, Lynn J. Alstadt, Reg. No. 29362, Michael L. Dever, Reg. No. 32,216, Carla J. Vrsansky, Reg. No. 36,958, Michael G. Panian, Reg. No. 32,623, John E. Grosselin, III, Reg. No. 38,478, Bryan H. Opalko, Reg. No. 40,751, Dennis M. Carleton, Reg. No. 40,938 and Jose J. Aparicio, Reg. No. P48,837

respectively and individually, as my attorneys or agents with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Please address all communications to:

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I hereby declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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